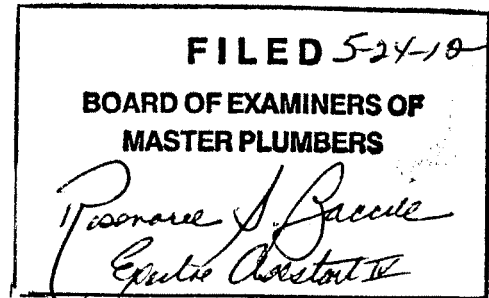


JEFFREY S. CHIESA
ATTORNEY GENERAL OF NEW JERSEY
Division of Law 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the Board of Examiners of Master Plumbers



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF EXAMINERS OF MASTER PLUMBERS

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

Administrative Action

LOUIS L. PASQUALINI, LMP
License No. 36BI00974200

PROVISIONAL ORDER
OF DISCIPLINE

TO PRACTICE PLUMBING
IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Examiners of Master Plumbers ("Board") upon receipt of information which the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Louis L. Pasqualini ("respondent") is a licensed master plumber in the State of New Jersey and has been a licensee at all times relevant hereto. Respondent is the bona fide representative for "Pro Plumbing Heating, LLC", and has been the bona fide representative for Pro Plumbing Heating, LLC, at all times relevant hereto.

2. The Board received a complaint from the plumbing sub-code official for the Township of Jackson, accompanied by a plumbing permit application. The complaint concerned the installation of a water heater and gas piping for consumer J.M. The complaint asserted that

respondent signed and sealed a plumbing permit for the plumbing work to be performed at J.M.'s residential property. The permit listed "Pro Plumbing Heating, LLC" as the plumbing contractor. According to the plumbing sub-code official, the work was not performed by "Pro Plumbing Heating, LLC". Instead, a company called "AAA-Better Service, LLC" performed the plumbing work. "AAA-Better Service, LLC" is not a licensed plumbing contractor in the State of New Jersey. (Exhibit A, copy of complaint from plumbing sub-code official, Township of Jackson, attached). (Exhibit B, copy of plumbing permit application for consumer J.M.). (Exhibit C, certification from Rosemarie Baccile, Executive Assistant, attached).

3. Respondent appeared before the Board on September 23, 2010 to provide testimony concerning the complaint received from the plumbing sub-code official. Respondent admitted he obtained a plumbing permit for plumbing work to be performed for J.M., but did not recall performing the work. Respondent indicated one of his two brothers may have performed the work, but was not clear whether either brother was a W-2 employee of "Pro Plumbing Heating, LLC". Respondent also admitted that he failed to visit the location and did not supervise the job in accordance with his obligation as the bona fide representative. (Exhibit D, copy of certified transcript from the February 26, 2009 inquiry, pgs 11 thru 19, attached and made a part of hereto).

CONCLUSIONS OF LAW

1. The above preliminary findings of fact provide grounds for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21(h), in that respondent has violated and failed to comply with the provisions of a regulation administered by the Board, specifically N.J.A.C. 13:32-3.3, in that respondent has admitted under oath that he failed to supervise the plumbing work that was performed for J.M. under respondent's permit.

2. The above preliminary findings of fact provide grounds for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21(b), in that he has engaged in the use and employment of dishonesty, fraud, deception, misrepresentation and false pretense in that respondent allowed his plumbing seal to be used to secure a plumbing permit for an unlicensed

person, in violation of N.J.A.C. 13:32-4.1 (c), by signing and sealing a plumbing permit and allowing "AAA-Better Service, LLC", an unlicensed entity, to perform the plumbing work.

ACCORDINGLY, IT IS on this 26th day of APRIL, 2012,

ORDERED that:

1. Respondent is hereby provisionally reprimanded for the violations as detailed above.
2. Respondent is hereby provisionally fined an aggregate civil penalty totaling one thousand (\$1,000.00) for the following violations:
 - a) Respondent is hereby provisionally fined a civil penalty of \$500 for failing to comply with the provisions of a regulation administered by the Board, pursuant to N.J.S.A. 45:1-21(h), in that respondent failed to supervise the plumbing work that was performed for J.M. under respondent's permit, in accordance with the requirements of N.J.A.C. 13:32-3.3.
 - b) Respondent is hereby provisionally fined a civil penalty of \$500 for engaging in the use and employment of dishonesty, fraud, deception, misrepresentation and false pretense, pursuant to N.J.S.A. 45:1-21(b), in that respondent allowed his plumbing seal to be used to secure a plumbing permit for an unlicensed person in violation of N.J.A.C. 13:32-4.1(c).
3. Payment of the entire civil penalty totaling \$1,000.00 shall be made by certified check or money order payable to the State of New Jersey and forwarded to Executive Director, State Board of Examiners of Master Plumbers, 124 Halsey Street, Sixth Floor, P.O. Box 45008, Newark, New Jersey 07101.
4. The within Order shall be subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry hereof unless respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

a) Submitting a written request for modification or dismissal to Executive Director, State Board of Examiners of Master Plumbers, 124 Halsey Street, Sixth Floor, P.O. Box 45008, Newark, New Jersey 07101.

b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

c) Submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor or offered in mitigation of penalty.

5. Any submissions will be reviewed by the Board, and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that submitted materials merit further consideration, a Final Order of Discipline will be entered.

6. In the event that respondent's submissions establish a need for further proceedings, including, but not limited to, an evidentiary hearing, respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the Board shall not be bound by the findings, conclusions and sanctions herein.

NEW JERSEY STATE BOARD OF
EXAMINERS OF MASTER PLUMBERS


By: 
Peter Voros
Board Chairman

EXHIBIT A

#58



#70410

BOARD OF EXAMINERS
OF MASTER PLUMBERS
2010 MAR 31 AM 10:51

TOWNSHIP OF JACKSON

DEPARTMENT OF COMMUNITY DEVELOPMENT & ENFORCEMENT
DIVISION OF CONSTRUCTION INSPECTIONS

BARRY G. OLEJARZ
CONSTRUCTION OFFICIAL
95 WEST VETERANS HIGHWAY, JACKSON, NJ 08527
TEL. (732) 928-1200 FAX (732) 928-7861

NJ Board of Examiners of Master Plumbers
PO Box 45008
Newark, NJ
07101

March 30, 2010

RE: AAA-Better Service Co. Inc., Jackson NJ (Additional information)

Dear Board:

This letter supplements the letter dated march 26, 2010 concerning AAA-Better Service contracting for plumbing work.

AAA-Better Service, LLC has submitted *another* permit application, which includes contracting for plumbing work without identifying a NJ Master Plumbers license. The contract is provided.

Upon trying to contact Pro Plumbing Heating LLC, NJMPL #9742 again this date, the phone number listed on the application is still disconnected (732-938-7011). I have contacted Mr. Gerard Sarno of AAA-Better Service and requested a meeting with him and Pro Plumbing. No one has responded to my request for clarification of who is performing the work and no one has complied with my request for a meeting.

Please contact me if the board requires any additional information.

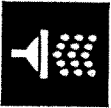
Sincerely,

Kevin F. Schmalz
Plumbing Sub-Code Official

EXHIBIT B



PLUMBING SUBCODE
TECHNICAL SECTION



A. IDENTIFICATION—APPLICANT: COMPLETE ALL APPLICABLE INFORMATION, WHEN CHANGING CONTRACTOR, NOTIFY THIS OFFICE. CALL OFFICE DIG NO: 1-800-272-1000.

Block 10912 Lot 8 Castle Ave Qualification Code _____
Work Site Location Jackson NJ 08527
Owner In Fee: JAME H HENE
Tel. (732) 922-2950 e-mail _____
Address 8 Castle Ave Jackson NJ 08527 Zip code 08527
Contractor: PRO PLUMBING & HEATING LLC Tel. (732) 938-7011
Address 15 Cidermill Ct Howell NJ
Contractor License No. 97412 Exp. Date 6-30-11
Home Improvement Contractor Registration No. or Exemption Reason (if applicable): _____
Federal Emp. ID No. 76-071381 FAX: (732) 938-9027

B. PLUMBING CHARACTERISTICS

Use Group Present Proposed _____
Building Sewer Size _____ Public Sewer _____ Private Septic _____
Water Service Size _____ Public Water _____ Private Well _____
Est. Cost of Plumbing Work \$ 7090.00

JOB SUMMARY (Office Use Only)

PLAN REVIEW		INSPECTIONS		Dates (Month/Day)	
<input type="checkbox"/> No Plans Required	<input type="checkbox"/> Partial - Underslab Utilities Approved	Type:	Failure	Failure	Initial
Date: _____	Approved by: _____	Slab	_____	_____	_____
<input type="checkbox"/> Plumbing Plans Approved	Date: _____	Rough	_____	_____	_____
Date: _____	Approved by: _____	Water	_____	_____	_____
Joint Plan Review Required:		Sewer	_____	_____	_____
<input type="checkbox"/> Bldg. <input type="checkbox"/> Elec. <input type="checkbox"/> Fire. <input type="checkbox"/> Elev.		Fixtures	_____	_____	_____
SUBCODE APPROVAL for PERMIT		Gas Equipment	_____	_____	_____
Date: _____	Approved by: _____	Gas Piping	_____	_____	_____
<input type="checkbox"/> EQ <input type="checkbox"/> CCC <input type="checkbox"/> CA		LPG Gas Tank	_____	_____	_____
Date: _____	Approved by: _____	Fuel Oil Piping	_____	_____	_____
SUBCODE APPROVAL for CERTIFICATE		Solar	_____	_____	_____
<input type="checkbox"/> EQ <input type="checkbox"/> CCC <input type="checkbox"/> CA		TOD	_____	_____	_____
Date: _____	Approved by: _____		_____	_____	_____

C. CERTIFICATION IN LIEU OF CATH

I hereby certify that I am the (agent of) owner of record and am authorized to make this application and perform the work listed on this application.

Applicant's Signature/Contractor's Seal and Signature

☒ Licensed Plumbing Contractor ☐ Exempt Applicant

D. TECHNICAL SITE DATA

DESCRIPTION OF WORK

Replace gas to gas furnace
40 gal hot water heater.

QTY.	FIXTURE/EQUIPMENT	FEE (Office Use Only)
_____	Water Closet	_____
_____	Urinal/Bidet	_____
_____	Bath Tub	_____
_____	Lavatory	_____
_____	Shower	_____
_____	Floor Drain	_____
_____	Sink	_____
_____	Dishwasher	_____
_____	Drinking Fountain	_____
_____	Washing Machine	_____
_____	Hose Bibb	_____
_____	Water Heater (GAS)	_____
_____	Fuel Oil Piping	_____
_____	Gas Piping (Reconnect) Existing	_____
_____	LPG Gas Tank	_____
_____	Steam Boiler	_____
_____	Hot Water Boiler	_____
_____	Sewer Pump	_____
_____	Interceptor/Separator	_____
_____	Backflow Preventer	_____
_____	Greasetrap	_____
_____	Sewer Connection	_____
_____	Water Service Connection	_____
_____	Stacks	_____
_____	Other	_____
_____	Other	_____

Administrative Surcharge \$ _____
Minimum Fee \$ _____
State Permit Surcharge Fee \$ _____
TOTAL FEE \$ _____

Date Received _____
Control # 109308
Date Issued _____
Permit # _____

EXHIBIT C

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF EXAMINERS OF MASTER PLUMBERS

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

Administrative Action

LOUIS L. PASQUALINI, LMP
License No. 36BI00974200

Certification of
Rosemarie Baccile

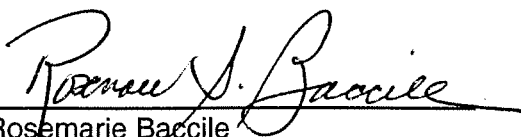
TO PRACTICE PLUMBING
IN THE STATE OF NEW JERSEY

I, Rosemarie Baccile, being of full age, hereby certify:

1. I am the Executive Assistant for the New Jersey State Board of Examiners of Master Plumbers, Division of Consumer Affairs, Department of Law and Public Safety. As such, I am a custodian of the records for the Board.

2. A search of the Board's records does not reveal that "AAA-Better Service, LLC" was ever licensed as a plumbing contracting entity in the State Of New Jersey.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.


Rosemarie Baccile

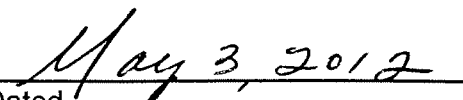

Dated

EXHIBIT D

1 A. No, I was not, I have a copy of the final inspection
2 report.

3 Q. There's also an indication from the sub code
4 official he attempted to contact you, was unable to do so?

5 A. Yes, yes, I believe that was where the whole
6 misunderstanding came about. At the time I was in a lot of
7 debt with the business, I was running on empty. I had nothing
8 left in the business. I was getting a lot of -- I owed my
9 supply house money, I owed everybody money at that point. My
10 phone for my office was shut off. At that point I really
11 didn't think it was any, you know, any problem or anything
12 there because I've only used my cell phone for the previous
13 ten, 15 years, my cell phone all my contacts come through my
14 cell phone.

15 The office phone number is there. I don't advertise
16 really, I don't do any of that, it's all through personal
17 contacts, stuff like that. I should have put my cell phone
18 number on the permit, I believe is what I should have done,
19 which I've done in the past. I guess when he tried to contact
20 the office phone it was disconnected at that time, you know,
21 failure to pay bills on that.

22 Again, like I said, I'm a father of five children
23 trying to provide, do the best I can for them all. That's
24 really, you know, what had happened with the office phone.

25 Q. That business phone number was 732-938-7011?

1 A. That is correct. No, that was the fax number. It's
2 973-2 -- 732-938-9027. That was the office phone number.

3 Q. But, sir, the telephone number for Pro Plumbing
4 Heating on the application is 732-938-7011?

5 A. That's my fax number.

6 Q. You have it listed as the fax number 732-938-9027?

7 A. What might have happened at that point, there were
8 two lines that were there, I guess my office number -- let me
9 see how it worked. The fax line I used to unplug, plug into
10 the phone lines when you go down to one phone line in the
11 office. I was able to unplug one when I faxed -- when I
12 needed to fax, unplug it, stick it into the fax machine, send
13 out the fax, stuff like that. It's very possible that the
14 7011 was put on that application at that time because 9027 --
15 9027 might have been disconnected already. I'm not exactly
16 sure how that worked out at that point. I should have put my
17 cell phone number on it. That's my contact for all them
18 years.

19 Q. So it's your testimony, just so we are clear with
20 regard to Miss McGee, no contact with Miss McGee herself, is
21 that correct?

22 A. Correct.

23 Q. No contact with AAA, is that correct?

24 A. Correct.

25 Q. You received no payment, a barter system?

1 A. No, it was going to be a barter system, I told him I
2 would do it, my ex-wife needed some work in her home where my
3 children reside. We just, you know, then this whole issue
4 came about, so I just wanted to get this thing straightened
5 out before anything and stuff. He did go make repairs at my
6 children's home on their furnace.

7 Q. How many jobs have you done for AAA, plumbing jobs?

8 A. He's done a lot for me. I've never done anything
9 with him. I've given him a lot of work in the heating and
10 cooling business. But I know him through many, many years. I
11 seen his work, I respect him very highly.

12 So that it was really the first time I had done
13 something for him like that. I was also home, out of work at
14 that time, I was able to respond the following day.

15 MR. DONOFRIO: Mr. Chairman, before I go onto the
16 next consumer, does anybody have any questions?

17 BY MR. MALONEY:

18 Q. If I could, are you -- have you ever been an
19 employee of AAA?

20 A. No, sir, no, sir, never.

21 Q. Do you understand there's a feeling or misconception
22 out there that you are lending your license to AAA, sealing
23 permits for them?

24 A. Absolutely not.

25 Q. Do you see a pattern of that or no?

1 A. To be honest with you, I only knew of this one
2 complaint like you said there. I do know that goes on and
3 stuff like that. I have never..

4 Q. On his paperwork he's advertising hot water heaters,
5 does not have a plumbing license.

6 A. Yeah.

7 Q. What he's doing is illegal. He has to find a
8 plumber to install them.

9 A. That's my first time.

10 MR. SABATH: Or pull the permits at least.

11 THE WITNESS: First time I ever did that for Mr.
12 Serrano.

13 Q. To what Joe said, it's your testimony that any time
14 that he has put a hot water heater in, you have done the work?

15 A. I only did it one time. I only did it the one time
16 for him, sir.

17 BY MR. VOROS:

18 Q. When you installed the water heater, was the home
19 owner or inspector there?

20 A. Home owner was there, yes.

21 Q. On your permits, I don't see your seal. Did you
22 seal the permits?

23 A. Definitely is seal, it's very worn out, sir. I've
24 done thousands and thousands of permits over the years. I
25 work with some of the largest developers in the state. My

1 seal is very worn out. At this point I have to really squeeze
2 it hard.

3 Q. Did you attend your continuing education credits?

4 A. Yes, I do.

5 Q. Who did you do that with?

6 A. John, Dale and Glenn.

7 Q. Do you recall in that class where they talk about if
8 you move or change your phone number you have to notify the
9 Board within ten days?

10 A. I do know of it, you know, I guess that is proper
11 protocol, but I do not have -- at the time I was living with
12 my parents. It was very difficult for me at that time with
13 five children, I went through a divorce. I was paying
14 astronomical child support and alimony to keep my kids in the
15 same residence, if I may, a \$1,000 a week, I paid for five
16 years for my ex-wife and the children.

17 Something I wanted to make sure they were taken care
18 of. I had to stay with my parents at that time. Once alimony
19 ended which was probably in June or July of this year, at that
20 point I was able to go out, now purchase my own place which is
21 only two blocks from my children, so they can come home every
22 day with me or mom or whoever. I am very close with my
23 ex-wife, so it's not a hateful thing there at all.

24 MR. VOROS: Do you want to go on to the second one?

25 BY MR. DONOFRIO:

1 Q. Mr. Pasqualini, did your company do any work for
2 Jamie Milkene at 8 Castle Avenue, Jackson, New Jersey?

3 A. I believe yes, I have. Yes, I have.

4 Q. I thought at the outset you said you had some
5 knowledge of the second complaint?

6 A. No, I didn't.

7 Q. You acknowledge doing work for Miss Milkene?

8 A. Yes.

9 Q. You didn't realize there was a complaint?

10 A. Never knew there was a complaint, sir.

11 Q. So you are aware the complaint is a similar nature
12 from the sub code official that in fact you signed and sealed
13 a permit to do the work for Miss Milkene and, in fact,
14 employees of AAA actually did the work?

15 A. Oh no absolutely not, sir, absolutely not. I did
16 every bit of the plumbing myself in that home. If I'm -- I
17 believe it was an addition to a home if I'm not mistaken.
18 They added a bathroom, that was a long time ago you're talking
19 then.

20 Q. Talking about a permit, sir, dated 3/18/2010?

21 MR. DONOFRIO: March of last year.

22 MR. BONTEMPO: This year.

23 MR. DONOFRIO: It's a water heater.

24 A. I'm thinking about -- there was a complaint on that
25 as well?

1 Q. So the record is clear, did you or in fact, your
2 company perform work for Jamie Milkene at 8 Castle Avenue,
3 Jackson, New Jersey?

4 A. I'm not aware of it. I'm not aware of that at all,
5 may I see that please.

6 Q. Absolutely. So you are clear, it's your testimony
7 you don't recall?

8 A. I don't recall.

9 MR. DONOFRIO: Let's have this marked as S-1 for
10 identification.

11 (Whereupon S-1 is marked for identification).

12 Q. Sir, I'll show you what's marked S-1 for
13 identification. I'll have you look at it, tell me if you
14 recognize what S-1 is?

15 A. I did pull a permit here.

16 Q. You acknowledge pulling the permit, that's your
17 signature?

18 A. Yes.

19 Q. What's the description of the work you performed?

20 A. The only thing I could say here, possibly my brother
21 went, had done a water heater for us, that's the only thing I
22 could say. I was not at Castle Avenue. I do not recall being
23 there. But again my brothers do do work for me as well.

24 Q. I believe it was your testimony you had no employees
25 at that time, is that correct?

1 A. Not really, they're my brothers, they live next door
2 to my home, they go do a job for me as well. It's not like,
3 you know, it's not really -- I'm not hiring him.

4 Q. So assuming for arguments sake your brother did do
5 it, your brother was not a W-2 employee?

6 A. Excuse me.

7 Q. Was your brother a W-2 employee at that time?

8 A. Oh he was part owner of the business at the time,
9 you know, he was involved with my business as well.

10 Q. Sir, I'm confused. That's your signature on that
11 application for permit?

12 A. Yes, sir.

13 Q. So in March of this year you signed an application
14 to do work for Jamie Milkene at 8 Castle Avenue Jackson, New
15 Jersey, correct?

16 A. Yeah, yes, sir.

17 Q. Did you perform that work yourself?

18 A. No, sir. I did not do this job myself.

19 Q. Did any of your W-2 employees perform that work?

20 A. I guess so, my brother Larry would have done it or
21 my brother Rob.

22 Q. Were they W-2 employees of Pro Plumbing, sir?

23 A. Yes, I guess.

24 Q. Could you provide W-2 forms to indicate?

25 A. I'm sure would I have them in the office.

1 Q. You're the bonifide representative for Pro Plumbing,
2 correct?

3 A. Yes.

4 Q. You have supervisory responsibility with regard to
5 all jobs done for Pro Plumbing?

6 A. That is correct.

7 Q. Did you supervise this job for Miss Milkene?

8 A. Apparently not, sir.

9 Q. You never went to the location?

10 A. No.

11 Q. It's your testimony that you are not aware of who
12 actually performed the work according to that permit, is that
13 correct?

14 A. Had to be one of my two brothers that had went
15 there. I didn't have anybody else working for me at the time,
16 so.

17 Q. Was AAA Better Service also involved in this job as
18 well?

19 A. Yes, apparently so.

20 Q. How do you know that?

21 A. It's part of it.

22 Q. Part of what?

23 A. It's on the same time when Mr. Serrano -- when I did
24 this there as well. I believe there were two water heaters
25 that needed to be replaced. I did the one at Mrs. McGee's.